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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
08/837,131	04/14/97	HALL	A AEHPERS

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F3M1/1211

EXAMINER	
RICHMAN, G	
ART UNIT	PAPER NUMBER
3302	

DATE MAILED:

12/11/97

Please find below a communication from the EXAMINER in charge of this application.

Commissioner of Patents

# Office Action Summary

Application No.

08/837,131

Applicant(s)

Hall et al

Examiner

Glenn Richman

Group Art Unit

3302



☒ Responsive to communication(s) filed on 7/14/97

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

## Disposition of Claim

☒ Claim(s) 1-7 is/are pending in the application

Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from consideration

☐ Claim(s) \_\_\_\_\_ is/are allowed.

☒ Claim(s) 1, 2, 4, and 5 is/are rejected.

☒ Claim(s) 3, 6, and 7 is/are objected to.

☐ Claims \_\_\_\_\_ are subject to restriction or election requirement.

## Application Papers

☒ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on \_\_\_\_\_ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some\* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) \_\_\_\_\_

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\*Certified copies not received: \_\_\_\_\_

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

## Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s) 2

☐ Interview Summary, PTO-413

☒ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

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1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al in view of Montgomery et al.

Smith et al disclose receiving data that represents both the sequential words of at least one child's book and an associated audible representation of each of said words (col. 5, lines 13-39).

Smith et al do not disclose displaying said sequential words on a display medium.

Montgomery et al disclose displaying sequential words on a display medium (col. 15, line 55 - col. 16, line 6).

It would have been obvious to display Smith et al's book on Montgomery et al's display medium, as it is well known to use a display medium for displaying a book, with sequential sound, as taught by Montgomery et al.

Smith et al further disclose displaying a visual indicator associated with said first word (col. 3, lines 40-63), moving a cursor on said screen relative to said visual indicator to cause said audible representation of said word to be audibilized (col. 3, lines 40-63), and automatically and sequentially moving said visual indicator from one word to the next (col. 3, lines 40-63).

As for claim 4, Montgomery et al disclose storing said data representing both said sequential words and associated audible representation of a plurality of children's books and a

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corresponding program on a single medium (col. 15, line 55 - col. 16, line 6), selecting data representing any one of said children's books for display on said display medium (col. 15, line 55 - col. 16, line 6).

3. Claims 1,2,5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al in view of Fernandez.

Smith et al disclose receiving data that represents both the sequential words of at least one child's book and an associated audible representation of each of said words (col. 5, lines 13-39).

Smith et al do not disclose displaying said sequential words on a display medium.

Fernandez disclose displaying sequential words on a display medium (abstract).

It would have been obvious to display Smith et al's book on Fernandez's display medium, as it is well known to use a display medium for displaying a book, as taught by Fernandez.

Smith et al further disclose displaying a visual indicator associated with said first word (col. 3, lines 40-63), moving a cursor on said screen relative to said visual indicator to cause said audible representation of said word to be audibilized (col. 3, lines 40-63), and automatically and sequentially moving said visual indicator from one word to the next (col. 3, lines 40-63).

As for claim 2, Fernandez further disclose storing data representing sequential words on a CD-ROM for transmission to said computer system (abstract).

It would have been obvious to store Smith et al's audible words on Fernandez's CD-ROM., as it is well known in the art, to use CD-ROM, as audio/visual devices.

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As for claim 5, Smith et al and Fernandez do not disclose a TV set as the display medium; however it would have been an obvious design choice, to use a TV set with Smith et al or Fernandez, as Tv sets are well known display mediums in the computer and audio visual art.

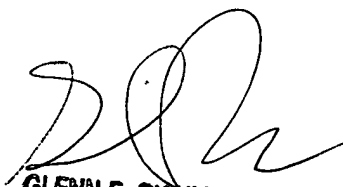
4. Claim 3, 6 and 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Huffman et al disclose an electronic book having highlighting features.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Glenn Richman whose telephone number is (703) 308-3170.

  
gr

December 7, 1997

  
GLENN E. RICHMAN  
PATENT EXAMINER  
GROUP 3300